

SENATE BILL 330

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By: **Senator Klausmeier**

Introduced and read first time: January 28, 2008

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Swimming Pools – Automated External Defibrillator Programs**

3 FOR the purpose of requiring each county or municipal corporation that owns or
4 operates a swimming pool to develop and implement a certain automated
5 external defibrillator program that meets certain requirements for certain
6 swimming pools owned or operated by the county or municipal corporation;
7 requiring the owners and operators of certain swimming pools to develop and
8 implement a certain automated external defibrillator program that meets
9 certain requirements; requiring the Department of Health and Mental Hygiene
10 and the Maryland Institute for Emergency Medical Services Systems to jointly
11 adopt certain regulations; defining certain terms; and generally relating to
12 requiring certain automated external defibrillator programs for certain
13 swimming pools.

14 BY adding to

15 Article 24 – Political Subdivisions – Miscellaneous Provisions
16 Section 22–101 to be under the new title “Title 22. Automated External
17 Defibrillator Programs”
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2007 Supplement)

20 BY adding to

21 Article – Health – General
22 Section 13–2701 to be under the new subtitle “Subtitle 27. Automated External
23 Defibrillator Programs”
24 Annotated Code of Maryland
25 (2005 Replacement Volume and 2007 Supplement)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
27 MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

2 **TITLE 22. AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAMS.**

3 **22-101.**

4 (A) **IN THIS SECTION, “SWIMMING POOL” MEANS A POOL THAT IS**
5 **OWNED AND OPERATED BY THE GOVERNING BODY OF A COUNTY OR MUNICIPAL**
6 **CORPORATION.**

7 (B) **(1) EACH COUNTY OR MUNICIPAL CORPORATION THAT OWNS OR**
8 **OPERATES A SWIMMING POOL SHALL DEVELOP AND IMPLEMENT AN**
9 **AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM THAT MEETS THE**
10 **REQUIREMENTS OF § 13-517 OF THE EDUCATION ARTICLE FOR EACH**
11 **SWIMMING POOL OWNED OR OPERATED BY THE COUNTY OR MUNICIPAL**
12 **CORPORATION.**

13 **(2) THE PROGRAM REQUIRED UNDER PARAGRAPH (1) OF THIS**
14 **SUBSECTION SHALL INCLUDE PROVISIONS THAT:**

15 **(I) ENSURE THAT AN AUTOMATED EXTERNAL**
16 **DEFIBRILLATOR IS PROVIDED ON-SITE; AND**

17 **(II) AN INDIVIDUAL TRAINED IN THE OPERATION AND USE**
18 **OF AN AUTOMATED EXTERNAL DEFIBRILLATOR IS PRESENT AT EACH SWIMMING**
19 **POOL.**

20 (C) **THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND THE**
21 **MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS SHALL**
22 **JOINTLY ADOPT REGULATIONS THAT:**

23 **(1) ESTABLISH GUIDELINES FOR PERIODIC INSPECTIONS AND**
24 **ANNUAL MAINTENANCE OF THE AUTOMATED EXTERNAL DEFIBRILLATORS; AND**

25 **(2) ASSIST EACH COUNTY OR MUNICIPAL CORPORATION IN**
26 **CARRYING OUT THE PROVISIONS OF THIS SECTION.**

27 **Article – Health – General**

28 **SUBTITLE 27. AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAMS.**

29 **13-2701.**

30 (A) **(1) IN THIS SECTION, “SWIMMING POOL” MEANS A POOL THAT:**

1 (I) IS OPEN FOR GENERAL ADMISSION TO THE PUBLIC;

2 (II) IS PROVIDED AS THE OWNER'S PRIMARY BUSINESS OR
3 THE FACILITY'S PRIMARY PURPOSE, INCLUDING A SWIM CLUB OR SIMILAR
4 FACILITY;

5 (III) IS PROVIDED BY OR USED BY A:

6 1. YOUTH CAMP;

7 2. COLLEGE, UNIVERSITY, OR SCHOOL;

8 3. COUNTRY CLUB; OR

9 4. WATER PARK, AMUSEMENT PARK, OR WATER
10 RECREATIONAL ATTRACTION; OR

11 (IV) IS USED FOR SWIMMING LESSONS, WATER SAFETY
12 INSTRUCTION, OR SWIMMING COMPETITIONS.

13 (2) IN THIS SECTION, "SWIMMING POOL" DOES NOT MEAN A POOL
14 THAT IS LOCATED:

15 (I) AT A FACILITY INTENDED FOR THE USE OF INDIVIDUALS
16 STAYING AT THE FACILITY, INCLUDING A HOTEL OR MOTEL POOL; OR

17 (II) ON RESIDENTIAL PROPERTY.

18 (B) (1) THE OWNERS AND OPERATORS OF EACH SWIMMING POOL
19 SHALL DEVELOP AND IMPLEMENT AN AUTOMATED EXTERNAL DEFIBRILLATOR
20 PROGRAM THAT MEETS THE REQUIREMENTS OF § 13-517 OF THE EDUCATION
21 ARTICLE.

22 (2) THE PROGRAM REQUIRED UNDER PARAGRAPH (1) OF THIS
23 SUBSECTION SHALL INCLUDE PROVISIONS THAT ENSURE:

24 (I) AN AUTOMATED EXTERNAL DEFIBRILLATOR IS
25 PROVIDED ON-SITE; AND

26 (II) AN INDIVIDUAL TRAINED IN THE OPERATION AND USE
27 OF AN AUTOMATED EXTERNAL DEFIBRILLATOR IS PRESENT AT EACH SWIMMING
28 POOL.

1 **(C) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND THE**
2 **MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS SHALL**
3 **JOINTLY ADOPT REGULATIONS THAT:**

4 **(1) ESTABLISH GUIDELINES FOR PERIODIC INSPECTIONS AND**
5 **ANNUAL MAINTENANCE OF THE AUTOMATED EXTERNAL DEFIBRILLATORS; AND**

6 **(2) ASSIST THE OWNERS AND OPERATORS OF EACH SWIMMING**
7 **POOL IN CARRYING OUT THE PROVISIONS OF THIS SECTION.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2008.